

RESPONSE AND ARGUMENTS

There are no amendments to the specification.

There are amendments to Claims 6 and 11.

With regard to Claim 6, as described in the specification at version #2 starting at page 16, the player plays at least four stud poker hands. Each partial hand has four cards, of the same suit and rank. An additional card is dealt to each partial hand so that each final hand has five cards. Claim 6 has been amended to correspond to the specification by now reciting in step (c) that each final hand has five cards.

With regard to Claim 11, as described in the specification at version #3 starting at page 21, the player plays at least three stud poker hands. Each partial hand has four cards, of the same suit and rank. An additional card is dealt to each partial hand so that each final hand has five cards. Claim 11 has been amended to correspond to the specification by now reciting in step (c) that each final hand has five cards.

Claims 1-15 are pending in this application.

Claims 1-15 stand rejected under 35 U.S.C. 103 as being unpatentable over Williams (6132311) in view of Hachquet (6050568).

Applicant's invention relates to a stud poker game that has multiple hands. The gaming machine is configured to allow the player to play a fixed number of hands or the player selects the number of hands that the player wishes to play. The wager is allocated among the number of hands that are to be played.

As set forth in the independent claims, the player plays either five, four or three stud poker hands.

Once the player has made his wager, a plurality of initial partial hands are displayed to the player. Each initial partial hand has the same cards with the cards displayed face up to the player. The initial partial hand are randomly dealt from a single deck of playing cards. Each hand is then completed as a stud poker final hand by dealing the additional cards from either the original single deck of cards (less the initially dealt cards) or from a plurality of partial depleted decks of playing cards, each depleted deck of playing cards comprising a full deck less the cards dealt as the initial partial hand.

As set forth in the independent claims, the initial partial hand has four cards with each four card hand having the same cards by suit and rank. A fifth card is dealt to each hand to complete a five card stud poker hand.

The player wins or loses depending on the poker hand ranking of each final hand. The amount won by the player is based on the poker hand ranking of each final hand and the amount wagered by the player according to a pay table. If the player achieves two or more final hands of the same poker hand ranking, the amount won by the player is increased, preferably as multiples of the original payout amounts.

The Williams '311 patent discloses a draw poker game, not a stud poker game as set out in the claims of the instant application.

In Williams, the player is dealt two cards face up. The player can hold the first two cards, or discard and replace either or both of the first two cards. This is a draw step in the Williams' method of play -- the instant claims do not have a draw step. In the instant claims, the initial partial hand has four cards and the player must play the initial four cards without

discarding and replacing any of the initial four cards.

Williams does disclose a variation of his game in which the player starts with three cards, but any one, two or all three of the initial three cards may be discarded and replaced.

However in the Williams disclosure, as the Examiner recognizes, there is no disclosure of dealing four initial cards having the same suit and rank. The Examiner simply argues that Williams could be modified to deal four cards face up "for completing the game quickly".

The Examiner fails to give any basis in the prior art for the modification proposed by the Examiner. In fact, there is no basis in the prior art that would teach or suggest such a modification and the Examiner's conclusion seems to be based on hindsight gleaned from the Applicants' disclosure.

Furthermore, if Williams were modified to deal four initial cards, such would in fact make the Williams game go more slowly, not more quickly as suggested by the Examiner. Because Williams teaches that any of the initially dealt cards can be discarded and replaced, it would take the player longer to decide which of the four cards he wanted to discard and replace and the controls of

the gaming machine to actually effect the discard and replacement of the cards so selected by the player.

Hachquet is relied upon for the proposition that it is old to deal each hand from its own deck of cards. However, Hachquet is also a draw poker game and neither teaches nor discloses the method of dealing four card partial hands, each hand having the same suit and rank, for a stud poker game. Therefore, there is nothing in Hachquet upon which the Examiner can rely to overcome the shortcomings of Williams, as discussed above.

Finally, the method set out in the independent claims specifies that if the player achieves two or more final hands of the same poker hand ranking, the amount won by the player is increased, preferably as multiples of the original payout amounts. The Examiner has ignored this step of the method in his rejection of the claims and neither Williams nor Hachquet teach or suggest increasing the amount won by the player if the player achieves two or more final hands of the same poker ranking.

Applicants submit that all of the claims pending in this application, Claims 1-15, are allowable over the prior art of record and the Examiner is requested to reconsider the rejection

of Claims 1-15 and to find that these claims are now allowable. If the Examiner has further questions regarding this application, the Examiner is requested to call undersigned counsel.

Respectfully submitted,


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